

BEST IMAGES POSSIBLE

THE FOLLOWING DOCUMENT OR DOCUMENTS
WERE SCANNED AS RECEIVED AND CONTAINS
THE BEST POSSIBLE IMAGE.

MICRO RECORDS COMPANY, INC
BALTIMORE, MARYLAND

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - 89/8 OF Reisterstown Road, N of Tobins Lane (3604 Reisterstown Road) 3rd Election District Charles Bogdanovich Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 89-175-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to use the subject property for a gasoline station with a convenience store facility, and variances to permit a front setback of 2 and 1/2 feet from the property line in lieu of the required 10 feet, a front setback of 13 feet, 7 inches from the street centerline in lieu of the required 40 feet, a sign of 183.02 sq.ft. total in lieu of the maximum permitted 100 sq.ft., and a site area of 18,002 sq.ft. in lieu of the required 19,048 sq.ft., all as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared, testified, and was represented by Joseph K. Pokorny, Esquire. Also appearing on behalf of the Petition was Richard Truelove, Professional Engineer, for the Amoco Oil Company, Lessee of the subject property. There were no Protestants.

At the onset of the hearing, it was determined that the requested setback as set forth in the Petition filed is inaccurate and that the variance is from Tobins Lane at the westerly corner of the proposed building as set forth in Petitioner's Exhibit 1. Accordingly, the requested setback is for the side yard property line to Tobin Lane and not to Reisterstown Road.

Testimony indicated that the subject property, known as 9604 Reisterstown Road, is zoned B.L.-C.S.2 and is currently improved with a

one-story brick service station. The property was previously granted a special exception for a gasoline service station in Case No. 4460-X on July 28, 1958 and, upon appeal, the decision was subsequently upheld by the County Board of Appeals on February 19, 1959. Petitioner proposes razing the existing structure and reconstructing a new one-story gasoline station in combination with a convenience store facility as shown on Petitioner's Exhibit 1. Petitioner presented testimony and evidence to support his claim that the proposed project meets the requirements of Sections 502.1 and 307 of the zoning regulations. Further testimony indicated the proposed use will not be detrimental to the health, safety and general welfare of the surrounding community. Petitioner introduced as Petitioner's Exhibit 2 a rendering of the proposed facility.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.S.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

Schultz v. Peltis, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Solov, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, as hereinafter modified, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

It should be noted that the requested sign variances as set forth in Petitioner's Exhibit 1 are acceptable with the exception of the sign proposed for the convenience store. Accordingly, the requested sign variance shall be granted as modified below.

After reviewing all of the testimony and evidence presented, it appears that the special exception and variances should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petitions for Special Exception and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of November, 1980 that the Petition for Special Exception to use the subject property for a gasoline station with a convenience store facility, and the Petition for Zoning Variances to permit a front setback of 2 and 1/2 feet from the property line in lieu of the required 10 feet, a front setback of 13 feet, 7 inches from the street centerline in lieu of the required 40 feet, a sign of 174.38 sq.ft. total in lieu of the maximum permitted 100 sq.ft., and a site area of 18,002 sq.ft. in lieu of the required 19,048 sq.ft., in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.
- 3) There shall be no damaged vehicles stored on the property and no automobile repairs shall be conducted on the premises.

4) All exterior lighting, with the exception of the proposed canopy, shall be reduced to no more than 10-feet above-grade.

5) Petitioner shall comply with all requirements as set forth in the Zoning Plans Advisory Committee comments which have been adopted in their entirety and made a part of this Order.

6) A landscape plan, which will more appropriately screen the Tobins Lane side of the subject property, shall be developed and submitted for review and approval by the Baltimore County Landscape Planner.

7) CBO approval must be obtained prior to commencement of this project.

8) The special exception and variances granted herein are limited to the site area as depicted in Petitioner's Exhibit 1 and will not apply to any substantial deviation from the construction as shown.

JRH:bjs

ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 657-3333

J. Robert Haines
Zoning Commissioner

November 28, 1980

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE
89/8 OF Reisterstown Road, N of Tobins Lane
(3604 Reisterstown Road)
3rd Election District - 3rd Councilmanic District
Charles Bogdanovich - Petitioner
Case No. 89-175-XA

Dear Mr. Pokorny:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-1391.

Very truly yours,
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel
File

9604 Reisterstown Road
Item 20

PETITION FOR SPECIAL EXCEPTION / VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and map attached hereto and made a part hereof, hereby petition for a special exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a gasoline station with a convenience store facility and a variance from section 232-1 to allow a front setback of 2 1/2 feet and a variance from section 413-2f to allow a front setback of 13 feet, 7 inches from the street centerline in lieu of the required 10 feet and 40 feet respectively and section 413-2f to allow a total sign square footage of 183.02 sq. ft. in lieu of the required 100 square feet. Also, a variance from Sec. 405.4.D.8 from the site requirement to allow an area of 18,002 sq. ft. in lieu of the required 19,048 sq. ft.

I, or we agree to pay expenses of above Special Exception: advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Charles Bogdanovich
(Type or Print Name)
Signature: Charles Bogdanovich
Address: 408 Jefferson Bldg.
City and State: Towson, Maryland 21204
Murray's Telephone No.: 823-2009

Legal Owner(s): Charles Bogdanovich
(Type or Print Name)
Signature: Charles Bogdanovich
(Type or Print Name)
Address: 408 Jefferson Bldg.
City and State: Towson, Maryland 21204
Murray's Telephone No.: 823-2009

Ordered By The Zoning Commissioner of Baltimore County, this 17th day of November, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of December, 1980, at 11:00 a'clock.

J. Robert Haines
Zoning Commissioner of Baltimore County

APR
APR ASSOCIATES, INC.
SURVEYING & ENGINEERING

AMOCO OIL COMPANY
DESCRIPTION OF PROPERTY
9604 REISTERSTOWN ROAD
THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at the corner formed by the intersection of the Southwesterly right-of-way line of Reisterstown Road, 66 feet wide, with the Northerly side of Tobin Lane, a private 30 foot wide road; thence running and binding along the Northerly side of Tobin Lane, referring all courses to the True Meridian as established for Baltimore County Metropolitan District, South 87 degrees 59 minutes 28 seconds West 219.30 feet; thence leaving Tobin Lane and running North 48 degrees 51 minutes 05 seconds West 40.03 feet and thence North 41 degrees 08 minutes 55 seconds East 150.00 feet to intersect the Southwesterly right-of-way line of Reisterstown Road; thence binding thereon South 48 degrees 51 minutes 05 seconds East 200.00 feet to the point of beginning; containing 18,002 square feet or 0.4132 acres more or less.

BEING all of the land described in the Lease between Truck Terminal, Inc., and The American Oil Company, dated April 22, 1958 and recorded among the Land Records of Baltimore County in Liber 3371, page 526.

6/5/88

DEED OF DIRECTOR

7477 Harford Road
Baltimore, Maryland 21234
(301) 444-4312

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
W/S Reisterstown Rd., NW Corner : OF BALTIMORE COUNTY
Reisterstown & Tobins Lane (9604
Reisterstown Rd.), 3rd Election :
Dist.; 3rd Councilmanic Dist.
CHARLES BOGDANOVICH, Petitioner : Case No. 89-175-XA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of October, 1988, a copy of the foregoing Entry of Appearance was mailed to Joseph K. Pokorny, Esquire, 408 Jefferson Bldg., Towson, MD 21204, Attorney for Petitioner.

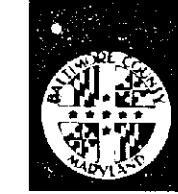
Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reinecke

August 18, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Re: Property Owner: Charles Bogdanovich

Dennis F. Rasmussen
County Executive

Location: W/S of Reisterstown Rd., NW corner of Reisterstown Road and Tobins Lane

Item No.: 20

Zoning Agenda: Meeting of 8/9/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Additional fire hydrant required at Entrance Drive on off Reisterstown Road
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

* NFPA 30, Section 7-8.4.3, shall apply. One attendant's primary function shall be to supervise dispensing of Class I Liquid. Noted and approved by *John F. C. Hull*
REVIEWER: *John F. C. Hull* Approved: *John F. C. Hull*
Planning Group
Special Inspection Division

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

89-175-XA

District: 3rd Date of Posting: October 22, 1988
Posted for: Special Exception
Petitioner: Charles Bogdanovich
Location of property: W/S Reisterstown Rd. NW cor. Reisterstown Road
Tobins Lane (9604 Reisterstown Road)
Location of Signs: W/S corner of Reisterstown Road and Tobins Lane
Remarks: _____
Posted by: S. J. Arata Date of return: October 28, 1988
Number of Signs: 3

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 24, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 20, 1988.

THE JEFFERSONIAN,

S. Zefe - Orlan
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Special Exception and Zoning Variance
Case Number: 89-175-XA
W/S Reisterstown Rd. NW cor. Reisterstown Road, NW cor. Reisterstown Rd. & Tobins Lane (9604 Reisterstown Road)
3rd Election District - 3rd Councilmanic
Petitioner(s): Charles Bogdanovich
Hearing Date: Thursday, Nov. 10, 1988 at 11:00 a.m.
Special Exception: A gasoline station with a convenience store facility. Variance to allow a front setback of 2-1/2 feet from the property line and 13 feet, 7 inches from the street centerline in lieu of the required 10 ft. and 40 ft. respectively and to allow a total sign square footage of 183.02 sq. ft. in lieu of the required 100 square feet. Variance from the site area requirement to allow an area of 16,002 sq. ft. in lieu of the required 19,008 square feet.
PHASE II OF SHOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING. SUCH HEARING WILL BE POSTPONED AND RE-HEARD IF REQUESTED FOR THIRTY (30) DAYS PRIOR TO THE HEARING. IF REQUESTED FOR A LATER DATE, THE HEARING WILL BE RESCHEDULED. CALL 494-2200 TO CONFIRM DATE.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office of the Zoning Commissioner prior to the date of the hearing. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
10094 Oct. 20

89-175-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 10th day of August, 1988.

Petitioner: Charles Bogdanovich
Petitioner's Attorney: Joseph K. Pokorny

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 480, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39 and 40.

August 24, 1988



Very truly yours,
Stephen E. Weber, P.E.
Stephen E. Weber, P.E.
Assistant Traffic Engineer

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3553

J. Robert Haines
Zoning Commissioner
408 Jefferson Building
Towson, Maryland 21204

Date: 10/28/88

Joseph K. Pokorny, Esq.
408 Jefferson Building
Towson, Maryland 21204

Re: Case Number: 89-175-XA
Petition for Special Exception and Zoning Variance
(9604 Reisterstown Road)
Charles Bogdanovich, Petitioner

Dear Mr. Pokorny:

Please be advised that \$138.12 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, 111 W. Chesapeake Avenue, Towson, Maryland 21204, at least 15 minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 059003
DATE: 11/10/88 ACCOUNT: R-01-615-000
AMOUNT: \$ 138.12
RECEIVED FROM: Charles Bogdanovich
FOR: Posting and Advertising 11/10/88 Hearing
B B C S C *****138122 = 1089-175-XA
VALIDATION OR SIGNATURE OF CASHIER
UNITED STATES DEPARTMENT OF TREASURY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
October 28, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Joseph K. Pokorny, Esquire
408 Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 20 - Case No. 89-175-XA
Petitioner: Charles Bogdanovich
Petition for Zoning Variance and Special Exception

Dear Mr. Pokorny:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

cc: APR Associates, Inc.
7427 Harford Road
Baltimore, Maryland 21234

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3553

J. Robert Haines
Zoning Commissioner

October 4, 1988

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception and Zoning Variance
CASE NUMBER: 89-175-XA
W/S Reisterstown Road, NW cor. Reisterstown Rd. & Tobins Lane (9604 Reisterstown Road)
3rd Election District - 3rd Councilmanic
Petitioner(s): Charles Bogdanovich
HEARING SCHEDULED: THURSDAY, NOVEMBER 10, 1988 at 11:00 a.m.*

Special Exception: A gasoline station with a convenience store facility. Variance to allow a front setback of 2-1/2 feet from the property line and 13 feet, 7 inches from the street centerline in lieu of the required 10 ft. and 40 ft. respectively and to allow a total sign square footage of 183.02 sq. ft. in lieu of the required 100 square feet. Variance from the site area requirement to allow an area of 16,002 sq. ft. in lieu of the required 19,008 square feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*NOTE:

IF PHASE II OF THE SHOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND RE-HEARD IF REQUESTED FOR THIRTY (30) DAYS PRIOR TO THE HEARING. IF REQUESTED FOR A LATER DATE, THE HEARING WILL BE RESCHEDULED. CALL 494-2200 TO CONFIRM DATE.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
cc: Joseph K. Pokorny, Esq.
File



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 15, 1988

Re: Baltimore County
Amoco Gasoline and Convenience Store
Zoning Meeting 8/9/88
S/W/S Reisterstown Road MD 140
west corner of Tobins Lane
Item # 20

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Dear Mr. Haines:

After reviewing the submittal of Amoco Gasoline and Convenience Store, we find the plan acceptable showing the reconstruction of existing entrances to 35' and an ultimate 100' right-of-way on Reisterstown Road.

However, there must be a note on this plan to repair and/or replace any deteriorated curb.

It is requested this revision be made prior to a hearing date being set.

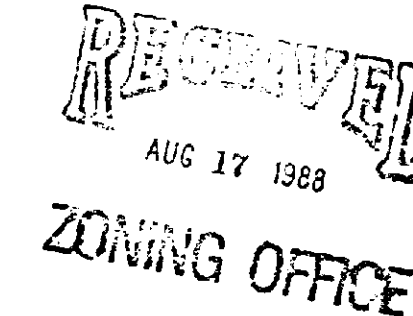
If you have any questions, please call Larry Brocato of this office (333-1350).

Very truly yours,

Gregory J. Mills, Jr.
Gregory J. Mills, Jr.
Chief Bureau of Engineering Access Permits

LB/es

cc: APR Associates Inc.
J. Ogle



My telephone number is (301) 333-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 585-0451 O.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: November 10, 1988
 FROM: Pat Keller, Deputy Director
 Office of Planning and Zoning
 Bogdanovich - 9604 Reisterstown Road
 SUBJECT: Zoning Petition No. 89-175-XA

The applicant is requesting a special exception and variances to enable the construction of a gasoline station with a convenience store. Staff recommends approval of the applicant's request subject to the following:

- A ten foot landscape buffer (from the property line) will be provided along Tobins Lane and Reisterstown Road (less than 8 feet is being shown). An approved landscape plan utilizing elements (Sycamore Trees) of the Reisterstown Promenade will be incorporated into the plan as approved by the County Landscape Planner. Additional landscaping should be provided around the proposed structure.
- The elimination of one of the ingress and egress points on Reisterstown Road will be investigated for feasibility.
- Air and water for automobiles will be provided on the site.
- The special exception and variances shall only apply to the site plan (as amended to show all required buffers and landscaping, use, size, location) and will not be uniformly applied to the lot. The special exception and variances will not apply to any substantial deviation from the construction as shown.

PK/sf

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

8/11/89

Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson, Maryland 21204

Zoning Item # 22, Zoning Advisory Committee Meeting of August 9, 1989
 Property Owner: Charles Bogdanovich
 Location: Reisterstown Rd & Tobins Lane District 3
 Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of food burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other amenities pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Systems Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Motorist and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the collection of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____, must be _____ conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____.
- () If not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the possibility of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Karen M. Merrey
 BUREAU OF WATER QUALITY AND RESOURCE
 MANAGEMENT

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Charles T. Bogdanovich
 Joseph K. Takasov

314 MURDER RD
 1450 GREEN RD 21013
 404 JEFFERSON RD - TOWSON MD

PETITIONER'S EXHIBIT 2



LANDSCAPE SUMMARY

Planting shown is for quantity only.

Required: 12 major deciduous trees.

Provided: 6 major deciduous trees. (2 major)
4 minor deciduous trees. (2 major)
4 evergreen trees. (2 major)

Evergreen shrub screen to be planted.
Miscellaneous shrubs, ground cover
plants, and perennials.

LOT AREA REQUIREMENTS

8 FUEL SPACES = 1500 = 12,000 S.F. (15,000 S.F. MIN.)

C (10/2 S.F. x 4) = 4048 S.F.

TOTAL SITE AREA REQ'D. = 19,048 S.F.

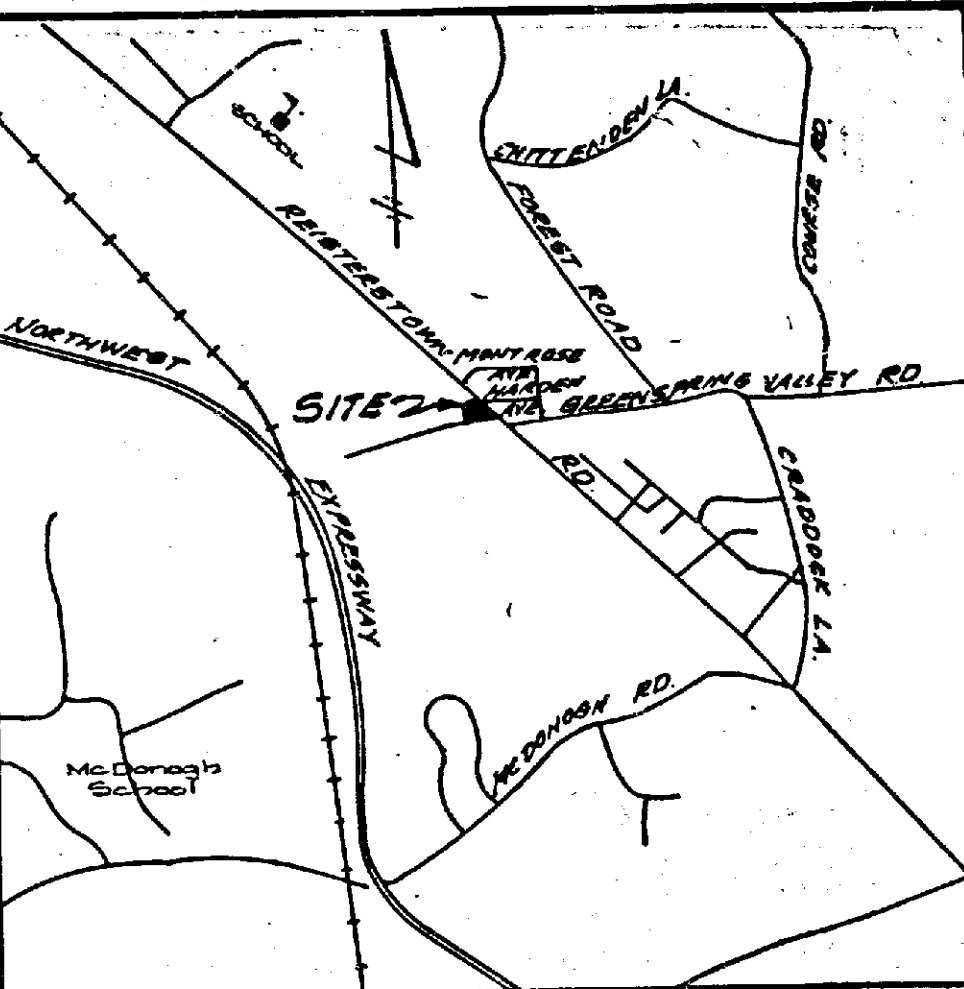
SITE AREA PROVIDED = 18,002 S.F.

MINIMUM SITE WIDTH REQ'D. = 130'

ROAD FRONTAGE PROVIDED = 200'

LEGEND

- Existing Contour
- Proposed Contour
- Ex. Curb & Gutter
- Proposed Conc. Curb
- Prop. Bituminous Paving
- Prop. Evergreen Shrubs
- Prop. Minor Deciduous Tree
- Prop. Major Deciduous Tree
- Prop. Evergreen Tree
- Prop. Concrete
- Waiting Cars

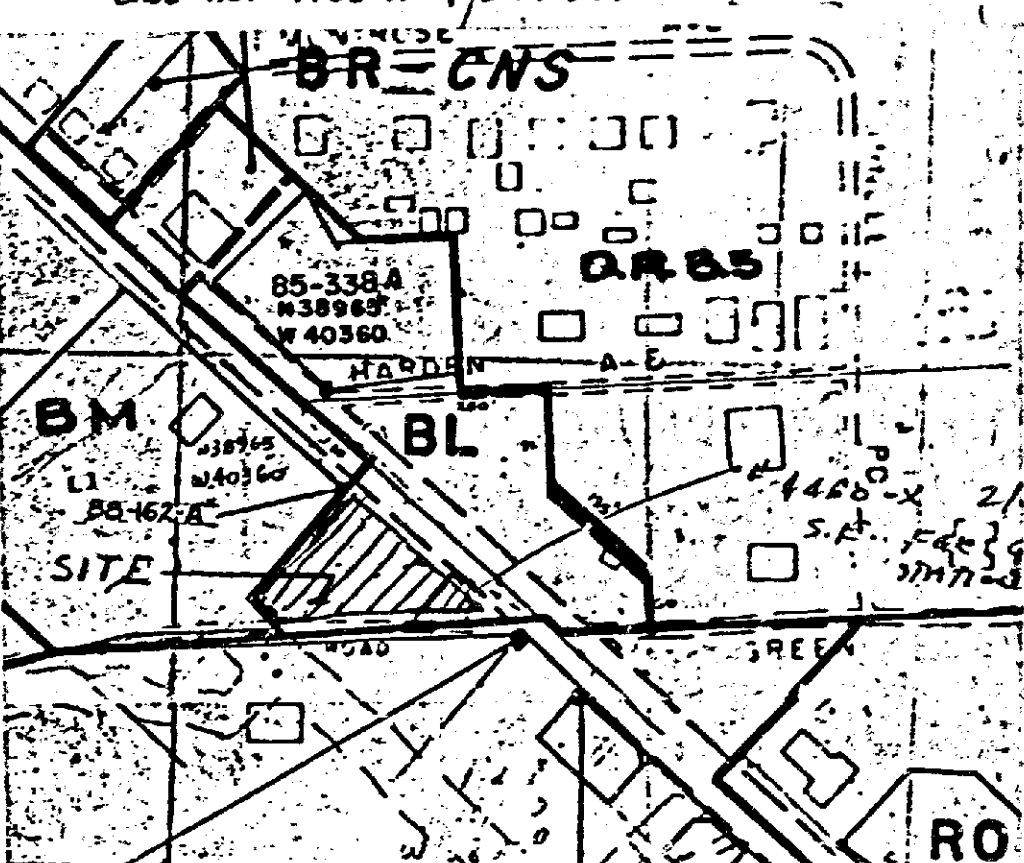


LOCATION MAP

SCALE: 1"=200'

GENERAL NOTES:

1. BEARINGS SHOWN ARE REFERRED TO THE TRUE MERIDIAN AS ESTABLISHED FOR THE BALTIMORE METROPOLITAN DISTRICT.
2. ELEVATIONS ARE BASED ON BALTIMORE COUNTY DATUM. BENCH MARK X-2156 B ELEV. 4475.6 'X' CUT IN CONC. MEDIAN @ ENTRANCE OF VALLEY DRIVE IN THEATER.
3. AREA OF PROPERTY: 18,002 S.F. OR 0.4132 A.C.I.
4. TITLE REFERENCE: LEASE TO AMOCO OIL COMPANY LIBER G.L.B. 5371/526
5. EXISTING ZONE: BL-C3 2
6. PROPOSED ZONE: BL-C3 2 WITH SPECIAL EXCEPTION FOR CONVENIENCE STORE
7. EXISTING USE: GASOLINE STATION
8. PROPOSED USE: GASOLINE STATION WITH CONVENIENCE STORE
9. ALL EXISTING STRUCTURES ON SITE TO BE RAZED.
10. OFF STREET PARKING: PARKING REQ'D @ 1 SPACE/200 S.F. (1012/200) = 5 TOTAL SPACES REQ'D. TOTAL SPACES PROVIDED (INCLUDES 1 HLPD) = 6 ALL PARKING SPACES SHALL BE 10'x20'. ALL PAVING SHALL BE BITUMINOUS CONCRETE SURFACE. ALL CURB SHOWN ON SITE SHALL BE 6" HIGH BY 8" WIDE CONCRETE. SCREENING SHALL MEET THE REQUIREMENTS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL.
11. LIGHTING SHALL BE A MAXIMUM OF 12' HIGH PERIMETER LIGHTS SHALL BE DIRECTED DOWNWARD AND INTO SITE.
12. LANDSCAPE REQUIREMENTS: EVERGREEN SHRUBS TO BE PLANTED 3' ON CENTER WITHIN PLANTING AREAS ADJACENT TO TOBINS LANE AND REISTERSTOWN ROAD. HEIGHT AT MATURE GROWTH TO BE 5'. VISUAL SCREEN SHRUB QUANTITY - 96 LF + 3' 32 PLANTS. PLUS MISCELLANEOUS SHRUBS AND GROUND COVER PLANTS. PROVIDE 12 MAJOR DECIDUOUS TREES OR 24 MINOR DECIDUOUS TREES OR 24 EVERGREEN TREES. DUMPSTER AREA TO BE SCREENED.
13. PREVIOUS SPECIAL EXCEPTION FOR A GASOLINE STATION CASE NO. 4460-X (2-17-99)



SURROUNDING ZONING

SCALE: 1"=200'

AMOCO OIL COMPANY
PLAT TO ACCOMPANY PETITION
FOR SPECIAL EXCEPTION

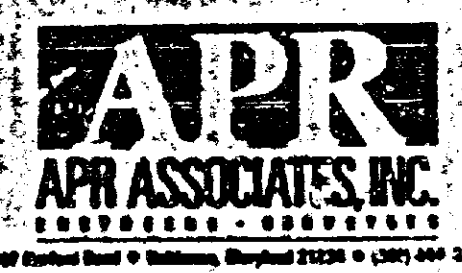
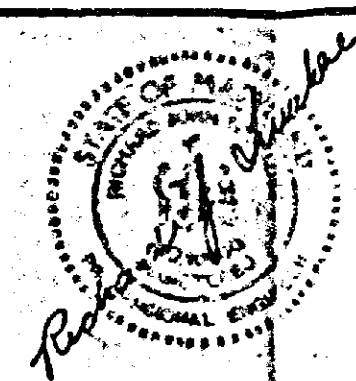
9604 REISTERSTOWN ROAD
THIRD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=10'

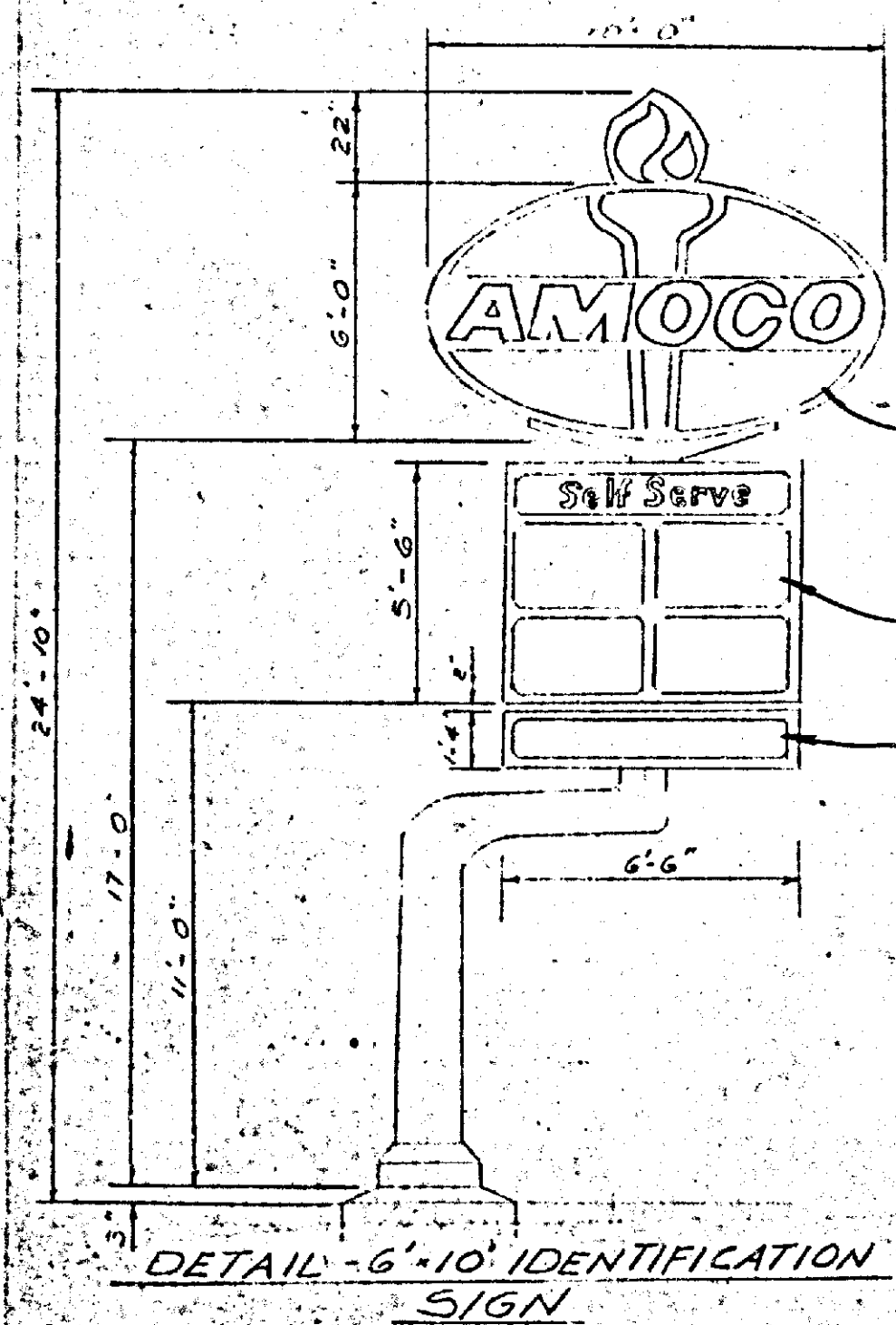
24 MAY 1983

37113

PETITIONER'S
EXHIBIT 1



2000 National Road, Baltimore, Maryland 21206 (410) 444-3200



NEW 6'-0" x 10'-0" SIGN (47.12 SQ. FT.)

WRAPAROUND SELF-SERVE PRICE SIGN (35.75 SQ. FT.)

"C" STORE SIGN (8.64 SQ. FT.)

SIGN AREA:
6'-0" x 10'-0" I.D. = 47.12 S.F.
6'-0" x 6'-0" PRICE = 35.75 S.F.
1'-4" x 6'-0" STORE = 8.64 S.F.
TOTAL EACH SIDE = 91.51 S.F.
TOTAL SIGN AREA = 183.02 S.F.

TOBINS LANE

REISTERSTOWN ROAD

ROAD

ULTIMATE E OF REISTERSTOWN ROAD

EXISTING COMMERCIAL PROPERTY

AUTOMOBILE DEALERSHIP

SCREEN PLANTING

EXISTING B.G. & E. POLE TO BE RELOCATED AS DIRECTED BY B.G. & E.

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